

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2009-299-T - ORDER NO. 2009-716  
OCTOBER 16, 2009

IN RE: Petition of the Office of Regulatory Staff to	)	ORDER REVOKING
Revoke Certificates of Public Convenience	)	CERTIFICATES
and Necessity of Certain Motor Carriers For	)	
Failure to Maintain and File Evidence of	)	
Insurance	)	

This matter comes before the Public Service Commission of South Carolina ("Commission") under the authority of S.C. Code Ann. §§ 58-23-10 *et seq.* and 58-4-10 *et seq.* on the Petition of the Office of Regulatory Staff ("ORS") to revoke Certificates of Public Convenience and Necessity of certain motor carriers for failure to maintain and file evidence of insurance. Specifically, S.C. Code Ann. §§ 58-23-910 through 58-23-920 (Supp. 2008) and 26 S.C. Code Ann. Regs. 103-170 through 103-181 (Supp. 2008) require motor carriers certificated in South Carolina to procure and file with the Commission and ORS proper proof of insurance. This insurance must be kept in full force and effect and failure to do so is cause for the revocation of a holder's certificate. S.C. Code Ann. § 58-23-910. ORS's Petition, containing a list of motor carriers who failed to maintain and file evidence of insurance, was submitted to the Commission on July 22, 2009.<sup>1</sup> A hearing for the revocation of these Certificates was held on September 30, 2009.

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<sup>1</sup> Hearing Exhibit I.

At the hearing, ORS's Records Custodian in its Transportation Department, Carole Chauvin, testified that certain carriers certificated by the Commission remained out of compliance for not having filed proof of insurance. In support of Chauvin's testimony, ORS offered a revised list of those carriers that remained out of compliance at the time of the hearing.<sup>2</sup> She testified that ORS notified these carriers of their non-compliance by certified mail. However, none of the carriers appeared at the hearing.

The Commission finds that ORS's Petition against those carriers who were in compliance with insurance requirements at the time of the hearing should be dismissed. The Commission also finds that the Certificates of those carriers who remained out of compliance with the insurance requirements at the time of the hearing, as indicated by the revised list submitted as evidence by ORS, should be revoked and cancelled under the authority of S.C. Code Ann. § 58-23-320 (Supp. 2008).

IT IS THEREFORE ORDERED:

The Certificates of Public Convenience and Necessity held by those motor carriers in the revised list submitted by ORS at the hearing, which is attached to this Order, are revoked and cancelled. All operating rights of these carriers are null and void. Additionally, ORS's Petition against those carriers who are now in compliance is dismissed.

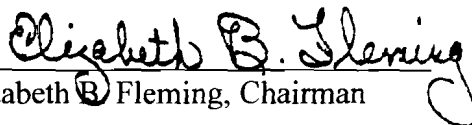
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<sup>2</sup> Hearing Exhibit 3.

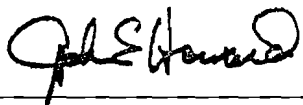
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This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:

  
Elizabeth B. Fleming, Chairman

ATTEST:

  
John E. Howard, Vice Chairman  
(SEAL)

REVISED EXHIBIT A - SEPTEMBER 30, 2009 CARRIERS OUT OF COMPLIANCE - NO INSURANCE - 2ND QUARTER 2009

No.	Docket #	Class	Type of Cert	Name	DBA	Address	City	State	Zip
1	2003-91-T	C	CHARTER	ELLEN AMMONDS	AJ'S TRANSPORTATION	840 CORONA DRIVE	ORANGEBURG	SC	29115
2	2002-329-T	C	CHARTER BUS	WILLIAM C. ROBERTS	ANGEL TOURS	P.O. BOX 1911	SAVANNAH	GA	31402
3	1991-628-T	E	HHG	FAMILY, INC.	C & C MOVING SERVICE	803 MAIN STREET	MYRTLE BEACH	SC	29577
4	2003-55-T	E	HHG	CAROLINA MOVING & STORAGE, INC.		104 TORWOOD DRIVE	COLUMBIA	SC	29203
5	2005-114-T	C	CHARTER BUS	CCC TOURS, LLC		707 S. FIRETOWER ROAD	FLORENCE	SC	29506
6	2006-78-T	C	CHARTER BUS	E.C. TOURS, INC.		1505 RORIE ROAD	MARSHVILLE	SC	28103
7	2009-67-T	C	TAXI	FANNIE L. SMITH	FANNIE'S TAXI	1925 QUITMAN AVENUE	N CHARLESTON	SC	29405
8	2006-374-T	C	TAXI	JOSEPH THORNLEY WEST	GRAND STRAND TAXI	900 PERRIN DRIVE	N MYRTLE BEACH	SC	29582
9	2003-97-T	C	CHARTER	DAVID R. POWELL	J & P LIMO SHUTTLE	66 CANNON STREET	CHARLESTON	SC	29403
10	1999-449-T	C	TAXI	WILLIE N. REMBERT, SR.		947 UNITY COURT	SUMTER	SC	29153
11	2005-186-T	C	CHARTER BUS	TRAVEL TOURS UNLIMITED, INC. OF HAMLET		P.O. BOX 365	HAMLET	NC	28345

